

Massachusetts Water Resources Commission

**Meeting Minutes for March 14, 1996**

**Commission Members in Attendance:**

Sharon McGregor	Designee, EOE A Secretary
Marilyn Contreas	Designee, EOCD Secretary
Mike Gildesgame	Designee, Department of Environmental Management
Patricia Austin	Designee, Metropolitan District Commission
Arleen O'Donnell	Designee, Department of Environmental Protection
Mark Tisa	Designee, Department of Fisheries, Wildlife and Environmental Law Enforcement
Lee Corte-Real	Designee, Department of Food and Agriculture
Gary Clayton	Public Member
Francis Veale	Public Member
Robert Zimmerman	Public Member

**Others in Attendance:**

Michele Drury	OWR/DEM
Lou Wagner	Massachusetts Audubon Society
Peter Phippen	OWR/DEM
Gretchen Roorbach	MWRA
Eileen Simonson	Water Supply Citizen's Advisory Committee
Jeffery Hanson	Bluestone Energy Services
John Murphy	Bluestone Energy Services
Beth McCann	DEP
Sarah Weinstein	DEP

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Agenda Item #1: Adoption of the minutes of the meeting of February 8, 1996

A motion was made by Veale and seconded by Clayton to

ADOPT THE MINUTES OF THE MEETING OF FEBRUARY 8, 1996.

**The motion passed unanimously.**

Agenda Item #2: Executive Directors Report

(a) McGregor reviewed the 1996 WRC Priority Actions. Changes suggested include:

A1. Re: Review of Duxbury water use/conservation; are there other decisions the WRC

should review? Staff will check.

B2. Re: water rate legislation, change the word "status" to "compliance and enforcement mechanism". Lealdon Langley will report to the WRC in April.

B4. include recommendation on local source protection. Dave Terry will follow up with the WRC.

(b) McGregor gave a description and review of the EOEa Basin Team meeting which was held in Worcester the previous day. Aside from the actual meeting site, the presentations and discussions went very well.

(c) The requests for proposals for the implementation of the watershed model should be ready by May, 1996. There will be one basin supported to implement a comprehensive basin assessment at \$150,000 over two years and 5 basins supported to build capacity for watershed planning at up to \$50,000 per basin over two years. The effort is funded from the Open Space bill.

#### | Agenda Item #3: Water Supply Policy Statement

The vote on this item has been postponed until next month because not all comments have been received by the various reviewers.

#### | Agenda Item #4: Potentially Productive Aquifers

Weinstein handed out the draft final regulations for the Water Resources Commission to review. The particular area of interest to the WRC is on page 5, section 40.0932:(5)(c) which gives case-specific exclusions from a potential drinking water source area. Under consideration are areas where people are not currently drinking the water, the area is not a Zone 2, an IWPA, a private well area, or a aquifer protection district; the land is not heavily urbanized, but it is not feasible to clean up the ground water to drinking water standards and the petitioner (which may be the municipality) can get concurrence from the municipality (ies) that overlies the ground water that they will not look to that area for future drinking water supply.

Under the proposed case-by-case process, petitions to the exclusions are to be reviewed by DEP and WRC staff. The Commission then will report to the DEP Commissioner, who will make the decision on petitions. That would allow the process to use the existing DEP appeals process rather than setting up separate regulations and a process for the WRC. Several suggestions were made concerning completeness of the petition, setting a review period, 40.0932:(5)(c)5, and consistency of water demand forecasts with the existing WRC methodology, 40.0932:(5)(c)(4)(b)2.

#### | Agenda Item #5: Interbasin Transfer criteria for Bluestone Energy's proposal

Drury presented issues associated the Bluestone Energy interbasin transfer; (1) responsibility for environmental criteria, (2) meeting conservation criteria, (3) community dependence on the desalination plant. Staff recommended keeping the 1 mgd standard for significance because there is a regulatory basis which gives the WRC the flexibility to address concerns if a lesser amount may have significant impacts.

Several questions followed which further clarified the above points. Murphy stated that Bluestone Energy was close to selecting the actual withdrawal site and will notify WRC once it has been chosen. They will analyze the impacts of both surface and groundwater withdrawals. Murphy made comments on the Memorandum dated March 1, 1996 (Drury to WRC), paragraph 2, second bullet, clarifying that economic criteria be included in the decision that a community has exhausted all its in-basin sources. It is expected that the Commission will vote on the criteria at the next meeting.



minutes approved 4/11/96